

CLOSED, STAY

**U.S. District Court
Southern District of Illinois (East St. Louis)
CIVIL DOCKET FOR CASE #: 3:06-cv-00898-JPG-PMF
Internal Use Only**

Garner v. Merck & Co Inc et al
Assigned to: Judge J. Phil Gilbert
Referred to: Mag Judge Philip M. Frazier
Demand: \$75,000
Cause: 28:1332 Diversity-Product Liability

Date Filed: 11/08/2006
Jury Demand: Defendant
Nature of Suit: 365 Personal Inj. Prod.
Liability
Jurisdiction: Diversity

Plaintiff

David Garner

represented by **Aaron K. Dickey**
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V.

Defendant

Merck & Co Inc
doing business as
MSD Sharp & Dohme GmbH
doing business as
Merck, Sharp and Dohme

represented by **Dan H. Ball**
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Defendant

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represented by **Robert H. Shultz, Jr.**
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Defendant**Pharmacia Corporation**

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Defendant**Monsanto Company**

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Defendant**Pfizer Inc**

represented by **Robert H. Shultz, Jr.**
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Defendant

Walgreen Co
doing business as
Walgreens




represented by **David A. Dick**
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Date Filed	#	Docket Text
11/08/2006	 <u>1</u>	Case Opened. Filing fee paid \$ 350.00, Receipt Number 300 115123. Documents may now be electronically filed. Case number 06-898-WDS must be placed on all documents prior to filing them electronically. (Attachments: # <u>1</u> Notice to consent to trial by Magistrate Judge)(dkd) (Entered: 11/08/2006)
11/08/2006	 <u>2</u>	NOTICE OF REMOVAL by Merck & Co Inc from Madison County,

		case number 06L852. (Filing fee \$ 350) (Attachments: # <u>1</u> Exhibit 1 Page 1 of 2# <u>2</u> Exhibit 1 Page 2 of 2# <u>3</u> Exhibit 2# <u>4</u> Exhibit 3# <u>5</u> Civil Cover Sheet)(Soriano, Randy) (Entered: 11/08/2006)
11/08/2006	<u>3</u>	ANSWER to Complaint with Jury Demand by Merck & Co Inc.(Soriano, Randy) (Entered: 11/08/2006)
11/08/2006	<u>4</u>	MOTION to Stay <i>All Proceedings</i> by Merck & Co Inc. (Soriano, Randy) (Entered: 11/08/2006)
11/08/2006	<u>5</u>	Corporate Disclosure Statement by Merck & Co Inc. (Soriano, Randy) (Entered: 11/08/2006)
11/08/2006	<u>6</u>	CONSENT to Removal byG.D. Searle, LLC, Pharmacia Corporation, Pfizer Inc. (Shultz, Robert) (Entered: 11/08/2006)
11/08/2006	<u>7</u>	ANSWER to Complaint with Jury Demand by G.D. Searle, LLC, Pharmacia Corporation, Pfizer Inc.(Shultz, Robert) (Entered: 11/08/2006)
11/08/2006		***Motions No Longer Referred: <u>4</u> MOTION to Stay <i>All Proceedings</i> (myz) (Entered: 11/13/2006)
11/09/2006	<u>8</u>	Corporate Disclosure Statement by G.D. Searle, LLC, Pharmacia Corporation, Pfizer Inc. (Shultz, Robert) (Entered: 11/09/2006)
11/13/2006	<u>9</u>	ORDER OF RECUSAL. Judge William D. Stiehl recused. Case reassigned to Judge J. Phil Gilbert for all further proceedings. Signed by Judge William D. Stiehl on 11/13/06. (jkb) (Entered: 11/13/2006)
11/14/2006		***Motion No Longer Referred to Judge Frazier: <u>4</u> MOTION to Stay <i>All Proceedings</i> (kls) (Entered: 11/14/2006)
11/20/2006	<u>10</u>	RESPONSE to Motion re <u>4</u> MOTION to Stay <i>All Proceedings</i> filed by David Garner. (Dickey, Aaron) (Entered: 11/20/2006)
11/21/2006	<u>11</u>	ORDER granting <u>4</u> Motion to Stay. This case is STAYED pending the decision of the Judicial Panel on Multidistrict Litigation regarding whether to consolidate and transfer this action to In re VIOXX Products Liability Litigation, MDL No. 1657. Signed by Judge J. Phil Gilbert on 11/21/06. (tlp)THIS TEXT ENTRY IS AN ORDER OF THE COURT. NO FURTHER DOCUMENTATION WILL BE MAILED. (Entered: 11/21/2006)
12/21/2006	<u>12</u>	Summons Issued as to Walgreen Co. (car) (Entered: 12/21/2006)
01/11/2007	<u>13</u>	NOTICE of Appearance by David A. Dick on behalf of Walgreen Co (Dick, David) (Entered: 01/11/2007)
01/11/2007	<u>14</u>	CONSENT to Removal byWalgreen Co. (Dick, David) (Entered: 01/11/2007)
01/11/2007	<u>15</u>	Corporate Disclosure Statement by Walgreen Co. (Dick, David) (Entered: 01/11/2007)
01/18/2007	<u>16</u>	NOTICE of Appearance by B. Matthew Struble on behalf of Walgreen

		Co (Struble, B.) (Entered: 01/18/2007)
01/24/2007	 <u>17</u>	MOTION to Dismiss by Walgreen Co. Responses due by 2/26/2007 (Attachments: # <u>1</u> Affidavit)(Dick, David) (Entered: 01/24/2007)
01/24/2007	 <u>18</u>	MEMORANDUM in Support re <u>17</u> MOTION to Dismiss filed by Walgreen Co. (Dick, David) (Entered: 01/24/2007)
05/04/2007	 <u>19</u>	ORDER TRANSFERRING CASE TO OTHER DISTRICT: Case transferred to Northern District of CA, MDL 05-1699 in re Bextra and Celebrex Marketing, Sales Practices and Products Liability Litigation. (Attachments: # <u>1</u> Letter from NDCA)(myz) (Entered: 05/07/2007)